

**Kansas Department of Agriculture**  
**Division of Food Safety and Lodging**  
 1320 Research Park Drive, Manhattan, KS 66502  
 (office) 785-564-6767 (fax) 785-564-6779

**KANSAS FOOD ESTABLISHMENT INSPECTION REPORT**

**Insp Date:** 6/23/2015      **Business ID:** 107708FE  
**Business:** CHILLI N SPICE

8562 W 133RD ST  
 OVERLAND PARK, KS 66213

**Inspection:** 35001867  
**Store ID:**  
**Phone:** 9136813663  
**Inspector:** KDA35  
**Reason:** 01 Routine  
**Results:** Follow-up

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
06/23/15	11:00 AM	01:45 PM	2:45	0:05	2:50	0	
Total:			2:45	0:05	2:50	0	

**FOOD ESTABLISHMENT PROFILE**

Insp. Notification Email Sent Notification To \_\_\_\_\_ Lic. Insp. No

Priority(P) Violations 7 Priority foundation(Pf) Violations 3

Certified Manager on Staff .. Address Verified p Actual Sq. Ft. 0

Certified Manager Present ..

**INSPECTION INFORMATION**

Risk factors are improper practices or procedures identified as the most prevalent contributing factors of food-borne illness or injury. Public health interventions are control measures to prevent food-borne illness or injury.

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals and physical objects into foods.

Violations cited in this report must be corrected within the time frames entered below, or as stated in sections 8-405.11 of the food code.

P=Priority Violation, Pf=Priority foundation violation, HACCP=Hazard Analysis-Critical Control Point, BHC=Bare Hand Contact, RTE=Ready to Eat, HSP=Highly Susceptible Population, K.S.A.=Kansas Statutes Annotated, All temperatures are measured in degrees Fahrenheit (°F).

IF YOU HAVE ANY QUESTIONS PLEASE VISIT [www.agriculture.ks.gov](http://www.agriculture.ks.gov), EMAIL [fsl@kda.ks.gov](mailto:fsl@kda.ks.gov), OR CALL (785) 564-6767.

COMPLIANCE KEY: Y=in compliance; N=not in compliance; O=not observed; A=not applicable; C=corrected on-site during inspection; R=repeat violation.

**FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS**

**Demonstration of Knowledge**

1. Certification by accredited program, compliance with Code, or correct responses.

***This item has Notes. See Footnote 1 at end of questionnaire.***

**Employee Health**

2. Management awareness; policy present.
3. Proper use of reporting, restriction and exclusion.

**Good Hygienic Practices**

Y	N	O	A	C	R
..	..	p	..	..	..
p	..	..	..	..	..
p	..	..	..	..	..
Y	N	O	A	C	R

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Good Hygienic Practices			Y	N	O	A	C	R
4. Proper eating, tasting, drinking, or tobacco use			p	..	..	..	..	..
5. No discharge from eyes, nose and mouth.			p	..	..	..	..	..
Preventing Contamination by Hands			Y	N	O	A	C	R
6. Hands clean and properly washed.			..	p	..	..	p	..
Fail Notes	2-301.14(F)	<p><i>P - Wash Hands (Prevent Cross Contamination) FOOD EMPLOYEES shall clean their hands and exposed portions of their arms as specified under § 2-301.12 immediately before engaging in FOOD preparation including working with exposed FOOD, clean EQUIPMENT and UTENSILS, and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES and during FOOD preparation, as often as necessary to remove soil and contamination and to prevent cross contamination when changing tasks</i>  <i>[Inside of the kitchen there was a employee that washed soiled dishes and immediately handled clean dishes to put up for storage. COS: Employee washed hands. ]</i></p>						
	2-301.15	<p><i>Pf - Where to Wash Hands- FOOD EMPLOYEES shall clean their hands only in a HANDWASHING SINK or APPROVED automatic handwashing facility.</i>  <i>[Employee in the warewashing area washed hands inside of the dishwashing disposal area. COS: PIC educated employee on where to wash hands. ]</i></p>						
7. No bare hand contact with RTE foods or approved alternate method properly followed.			p	..	..	..	..	..
8. Adequate handwashing facilities supplied and accessible.			p	..	..	..	..	..
Approved Source			Y	N	O	A	C	R
9. Food obtained from approved source.			p	..	..	..	..	..
10. Food received at proper temperature.			..	..	p	..	..	..
11. Food in good condition, safe and unadulterated.			..	p	..	..	p	..
Fail Notes	3-101.11	<p><i>P - FOOD shall be safe, UNADULTERATED, and honestly presented.</i>  <i>[Inside of the walk in cooler there was opened half and half with no date of opening or expiration. COS: Half and half was discarded by PIC because he did not know when it was opened. ]</i></p>						
12. Required records available: shellstock tags, parasite destruction.			..	..	..	p	..	..
Protection from Contamination			Y	N	O	A	C	R
13. Food separated and protected.			p	..	..	..	..	..
14. Food-contact surfaces: cleaned and sanitized.			..	p	..	..	p	..
Fail Notes	4-601.11(A)	<p><i>Pf - Food Contact Clean to Sight and Touch - EQUIPMENT FOOD-CONTACT SURFACES and UTENSILS shall be clean to sight and touch.</i>  <i>[On a dish storage rack stored as clean were approximately 10-20 dishes with date marking stickers intact. The stand alone mixer that had not been used since Sunday according to the PIC had dried food debris on the stem, guard, and back plate. The batter grinder for lentils was stored as clean and had not been used since Sunday according to the PIC contained dried food debris on the grinder parts. ]</i></p>						
	4-702.11	<p><i>P - Sanitizing Before Use, After Cleaning - UTENSILS and FOOD-CONTACT SURFACES of EQUIPMENT shall be SANITIZED before use after cleaning.</i>  <i>[Employee hand scrubbed dishes inside of the garbage disposal sink and then another employee handled the dishes without sanitizing the dishes inside of the automatic dishwasher. ]</i></p>						
15. Proper disposition of returned, previously served, reconditioned and unsafe food.			..	..	..	p	..	..

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Potentially Hazardous Food Time/Temperature		Y	N	O	A	C	R
16. Proper cooking time and temperatures.		..	..	p	..	..	..
17. Proper reheating procedures for hot holding.		..	..	p	..	..	..
18. Proper cooling time and temperatures.		p	..	..	..	..	..
19. Proper hot holding temperatures.		..	p	..	..	p	..
<b>This item has Notes. See Footnote 2 at end of questionnaire.</b>							
Fail Notes	3-501.16(A)(1)	<p>P - PHF/TCS Hot Holding - POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be maintained at 57°C (135°F) or above.</p> <p>[On the countertop inside of the kitchen there was chicken and peppers hot holding since 11am at 120.7F. Inside of the hot holding unit in the kitchen there was paneer in sauce and lentil soup hot holding at 93.1 and 109.1, respectively. COS: The warmer was not on and was turned on and the potato fry was reheated inside of the microwave. On the buffet there was white rice hot holding at 107.9 since 11 am. COS: Owner had decided to use TPHC for rice and will send procedure to inspector. ]</p>					
20. Proper cold holding temperatures.		p	..	..	..	..	..
<b>This item has Notes. See Footnote 3 at end of questionnaire.</b>							
21. Proper date marking and disposition.		..	p	..	..	p	..
<b>This item has Notes. See Footnote 4 at end of questionnaire.</b>							
Fail Notes	3-501.18(A)(1)	<p>P - RTE PHF/TCS, Disposition (discard if held more than 7 days) Refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) prepared or opened and held in a FOOD ESTABLISHMENT for more than 24 hours shall be discarded if it is held at a temperature of 5°C (41°F) or less for more than 7 days, with the day of preparation counted as Day 1.</p> <p>[Inside of the walk in cooler there were cooked onions with a preparation date of 6/14 held longer than 7 days. COS: Discarded. Inside of the walk in cooler there was chicken and rice with a preparation date of 5/31, but according to the owner the chicken and rice was prepared on 6/21. COS: Item redated 6/21.]</p>					
	3-501.18(A)(2)	<p>P - RTE PHF/TCS, Disposition (discard if in a container w/out a date) Refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) prepared or opened and held in a FOOD ESTABLISHMENT for more than 24 hours shall be discarded if it is not clearly marked to indicate the date or day by which the FOOD shall be consumed on the PREMISES, sold, or discarded when held at a temperature of 5°C (41°F) or less for a maximum of 7 days, with the day of preparation counted as Day 1.</p> <p>[Inside of the walk in cooler there was chicken and rice, fried boiled eggs, and goat with no date of preparation. COS: According to the owner all items were prepared on 6/21 and dated. Inside of the walk in cooler there was fried cauliflower with no date of preparation. COS: Prepared on 6/20 according to the owner and dated as such. ]</p>					
22. Time as a public health control: procedures and record.		..	..	..	p	..	..
Consumer Advisory		Y	N	O	A	C	R
23. Consumer advisory provided for raw or undercooked foods.		..	..	..	p	..	..
Highly Susceptible Populations		Y	N	O	A	C	R
24. Pasteurized foods used; prohibited foods not offered.		..	..	..	p	..	..
Chemical		Y	N	O	A	C	R

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Chemical	Y	N	O	A	C	R
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25. Food additives: approved and properly used.	..	..	p	..	..	..
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26. Toxic substances properly identified, stored and used.	p	..	..	..	..	..
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Conformance with Approved Procedures	Y	N	O	A	C	R
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27. Compliance with variance, specialized process and HACCP plan.	..	..	..	p	..	..
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GOOD RETAIL PRACTICES
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Safe Food and Water	Y	N	O	A	C	R
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28. Pasteurized eggs used where required.	..	..	..	p	..	..
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29. Water and ice from approved source.	p	..	..	..	..	..
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30. Variance obtained for specialized processing methods.	..	..	..	p	..	..
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Food Temperature Control	Y	N	O	A	C	R
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31. Proper cooling methods used; adequate equipment for temperature control.	..	p	..	..	..	..
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<i>Fail Notes</i>	3-501.15(A)	<i>Pf - TCS Cooling (Methods) - Cooling shall be accomplished in accordance with the required time and temperature criteria by using one or more of the following methods based on the type of FOOD being cooled: placing the FOOD in shallow pans; separating the FOOD into smaller or thinner portions; using rapid cooling EQUIPMENT; stirring the FOOD in a container placed in an ice water bath; using containers that facilitate heat transfer; adding ice as an ingredient; or, other effective methods.</i> <i>[Inside of the preparation sink there was fried paneer cheese cooling in room temperature water. ]</i>
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32. Plant food properly cooked for hot holding.	..	..	p	..	..	..
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33. Approved thawing methods used.	p	..	..	..	..	..
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34. Thermometers provided and accurate.	p	..	..	..	..	..
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Food Identification	Y	N	O	A	C	R
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35. Food properly labeled; original container.	..	p	..	..	p	..
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<i>Fail Notes</i>	3-302.12	<i>Food storage containers (Common Name) Except for containers holding FOOD that can be readily and unmistakably recognized such as dry pasta, working containers holding FOOD or FOOD ingredients that are removed from their original packages for use in the FOOD ESTABLISHMENT, such as cooking oils, flour, herbs, potato flakes, salt, spices, and sugar shall be identified with the common name of the FOOD.</i> <i>[On the cookline there were two bottles of food coloring unlabeled. COS: They were identified as red coloring and egg shade and labeled. ]</i>
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Prevention of Food Contamination	Y	N	O	A	C	R
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36. Insects, rodents and animals not present.	..	p	..	..	..	..
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<i>Fail Notes</i>	6-501.111(A)	<i>P - Pests (Prohibited) The PREMISES shall be maintained free of insects, rodents, and other pests.</i> <i>[One live roach on the inside of batter grinder. Per pest control records establishment was serviced on 6/15/15 and they are on a bi-weekly schedule. ]</i>
	6-501.112	<i>Dead or trapped birds, insects, rodents, and other pests shall be removed from control devices and the PREMISES at a frequency that prevents their accumulation, decomposition, or the attraction of pests.</i> <i>[Two dead roaches noted inside of the shelves in the bar. There is one dead roach inside on the bottom on the cold bar. ]</i>

37. Contamination prevented during food preparation, storage and display.	..	p	..	..	..	..
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# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Prevention of Food Contamination			Y	N	O	A	C	R
Fail Notes	3-305.11(A)(1)	Food storage - Except as specified in ¶¶ (B) and (C) of 3-305.11, FOOD shall be protected from contamination by storing the FOOD: in a clean, dry location; where it is not exposed to splash, dust, or other contamination; and at least 15 cm (6 inches) above the floor. [On the cookline there were chilli friters stored on the floor under a shelf. Inside of the kitchen there was rice soaking in a container on the floor under the preparation sink. ]						
38. Personal cleanliness.			p	..	..	..	..	..
39. Wiping cloths: properly used and stored.			..	..	p	..	..	..
40. Washing fruits and vegetables.			..	..	p	..	..	..
Proper Use of Utensils			Y	N	O	A	C	R
41. In-use utensils: properly stored.			..	p	..	..	..	..
Fail Notes	3-304.12(A)	In-use utensil storage (Handles above top of container) Except as specified under 3-304.12(B), during pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS shall be stored in the FOOD with their handles above the top of the FOOD and the container. [A small saucer is used for a scoop inside of a rice container. COS: Saucer removed and spoon replaced. ]						
42. Utensils, equipment and linens: properly stored, dried and handled.			p	..	..	..	..	..
43. Single-use and single-service articles: properly used.			..	..	p	..	..	..
44. Gloves used properly.			..	..	p	..	..	..
Utensils, Equipment and Vending			Y	N	O	A	C	R
45a. Food and non-food contact surfaces cleanable, properly designed, constructed and used-P and Pf items			p	..	..	..	..	..
45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used-Core items			p	..	..	..	..	..
46. Warewashing facilities: installed, maintained, and used; test strips.			p	..	..	..	..	..
<b>This item has Notes. See Footnote 5 at end of questionnaire.</b>								
47. Non-food contact surfaces clean.			..	p	..	..	..	..
Fail Notes	4-601.11(B)	The FOOD-CONTACT SURFACES of cooking EQUIPMENT and pans shall be kept free of encrusted grease deposits and other soil accumulations. [The sides of the fryers contain heavy grease encrusted build up. ]						
Physical Facilities			Y	N	O	A	C	R
48. Hot and cold water available; adequate pressure.			p	..	..	..	..	..
49. Plumbing installed; proper backflow devices.			p	..	..	..	..	..
50. Sewage and waste water properly disposed.			p	..	..	..	..	..
51. Toilet facilities: properly constructed, supplied and cleaned.			p	..	..	..	..	..
52. Garbage and refuse properly disposed; facilities maintained.			p	..	..	..	..	..
53. Physical facilities installed, maintained and clean.			..	p	..	..	..	..
Fail Notes	6-501.12(A)	PHYSICAL FACILITIES shall be cleaned as often as necessary to keep them clean. [Inside of the kitchen the walls and floors contain dried food debris. The floor has grease build up. ]						
54. Adequate ventilation and lighting; designated areas used.			p	..	..	..	..	..

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Administrative/Other

Y N O A C R

55. Other violations

p " " " " "

## EDUCATIONAL MATERIALS

The following educational materials were provided p

<i>Material Distributed</i>	<i>Education Title #08</i>	<i>Date Marking</i>
	<i>Education Title #10</i>	<i>Did You Wash 'Em Sign / Sticker</i>
	<i>Education Title #11</i>	<i>Employee Handwashing</i>

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

## **Footnote 1**

### **Notes:**

Accompanied by KDA 63

## **Footnote 2**

### **Notes:**

Countertop  
157-rice

Countertop 2  
179-lentil soup

Buffet  
148-potato fry/ 151-paneer in sauce/ 144-lentil and vegetable soup/ 151-chicken and rice/ 143-curry chicken/ 187-chicken and peppers

## **Footnote 3**

### **Notes:**

Buffet  
31-curd

Walk in cooler  
41-chicken/ 42-fried boiled eggs

## **Footnote 4**

### **Notes:**

\*\*90% of items found inside of the walk in cooler had 2-3 different dates such as 5/31, 6/7, and 6/14 on them in addition to the 6/21 date marking of product.

## **Footnote 5**

### **Notes:**

Dishwasher  
100ppm Chlorine

## NOTICE OF NON COMPLIANCE WITH KANSAS LAW

**Insp Date:** 6/23/2015      **Business ID:** 107708FE  
**Business:** CHILLI N SPICE

8562 W 133RD ST  
OVERLAND PARK, KS 66213

**Inspection:** 35001867  
**Store ID:**  
**Phone:** 9136813663  
**Inspector:** KDA35  
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Date	In	Out	Insp	Travel	Total	Mileage	Notes;
06/23/15	11:00 AM	01:45 PM	2:45	0:05	2:50	0	
Total:			2:45	0:05	2:50	0	

### NOTICE OF NON COMPLIANCE WITH KANSAS LAW

The Kansas Food, Drug and Cosmetic Act, effective July 1, 2012 includes K.S.A. 65-619 et seq. and regulations promulgated pursuant thereto and grants the Kansas Department of Agriculture the authority to regulate food establishments and food processing plants.

The Kansas Food, Drug and Cosmetic Act requires that all violations shall be corrected no later than 10 days after this inspection unless otherwise directed on this form.

Failure to comply with the food safety law and its regulations may result in embargo of non-compliant products; immediate closure of your establishment; civil penalties of up to \$1,000.00 per violation; denial of license renewal, modification, suspension and/or revocation of any license or authority issued pursuant to the food safety law; and/or any other penalty authorized by law. Pursuant to K.S.A. 65-619 et seq, licensees issued authority under the Kansas Food, Drug and Cosmetic Act may apply to the secretary for an extension of the time prescribed above.

PLEASE CALL (785) 296-5600 IF YOU HAVE ANY QUESTIONS.

Follow up Scheduled 07/03/15

Inspection Report Number 35001867

Inspection Report Date 06/23/15

Establishment Name CHILLI N SPICE

Physical Address 8562 W 133RD ST City OVERLAND PARK

Zip 66213

Additional Notes  
and Instructions

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## VOLUNTARY DESTRUCTION REPORT

**Insp Date:** 6/23/2015      **Business ID:** 107708FE  
**Business:** CHILLI N SPICE

8562 W 133RD ST  
OVERLAND PARK, KS 66213

**Inspection:** 35001867  
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**Phone:** 9136813663  
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### Time In / Time Out

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Total:			2:45	0:05	2:50	0	

### ACTIONS

Number of products Voluntarily Destroyed 2

### VOLUNTARY DESTRUCTION REPORT

I have this day voluntarily destroyed, or caused to be destroyed, the merchandise described below. Said merchandise found in my possession was unfit for human consumption, misbranded, or otherwise unlawful. Destruction and final disposition of said merchandise has been done in a manner approved by the above named Inspector, representative of the Kansas Department of Agriculture.

I hereby release the Kansas Department of Agriculture, and its members, agents, and representatives from any and all liability.

1. Product Half and Half Qty 0.5 Units quart Value \$ \_\_\_\_\_

Description no date marking

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A

2. Product Cooked onions Qty 2 Units lbs Value \$ \_\_\_\_\_

Description date marking held longer than 7 days

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A